

RESOLUTION NUMBER 2012-07

RESOLUTION ESTABLISHING POLICY PROHIBITING NEPOTISM

WHEREAS, the Board of County Commissioners of Warrick County, Indiana has determined that there is a need to establish a policy that prohibits nepotism among its workforce.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA THAT:

Section 1. Definitions

The following definitions shall apply in the interpretation and the enforcement of this Resolution:

A. "Employed" means an individual who is employed by the County on a full time, part time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the County. The performance of the duties of a precinct election officer (as defined in IC 3-5-2-40.1) that are imposed by IC 3 is not considered employment by the County.

B. "Direct line of supervision" means an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the County Council or Board of County Commissioners to make decisions regarding salary ordinances, budgets or personnel policies of the County.

C. "Relative" means any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half blood (a common parent).

Section 2. Nepotism Prohibited

Individuals who are relatives shall not be employed by the County in a position that results in one relative being in the direct line of supervision of the other relative.

An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual.

Individuals who are employed by the County on the date the individual's relative begins serving a term of an elected office in the County and the individual is in the direct line of supervision of the newly elected official are prohibited from remaining in that position.

An individual who is a spouse of the County Sheriff may not be employed by the County as prison matron for the County under IC 36-8-10-5.

An individual who served as County Coroner, is currently ineligible to serve due to term limits under Article 6 Section 2(b) of the Constitution of the State of Indiana, has receive certification under IC 36-2-14-22.3, and whose successor in the office of County Coroner is a relative may not be employed by County in the office of the Coroner.

Section 3. Exceptions to Prohibition Against Nepotism

This Resolution does not abrogate or affect an employment contract with the County that an individual is a party to and is in effect on the date the individual's relative begins service a term of an elected office of the County.

This Resolution does not apply to individuals who are employed by the County on the date the individual's relative begins serving a term of an elected office in the County and the individual is in the direct line of supervision of the newly elected official.

This Resolution does not apply to a spouse of the County Sheriff employed by the County as prison matron for the County under IC 36-8-10-5.

This Resolution does not apply to an individual who served as County Coroner, is currently ineligible to serve due to term limits under Article 6 Section 2(b) of the Constitution of the State of Indiana, has receive certification under IC 36-2-14-22.3, and whose successor in the office of County Coroner is a relative.

Section 4. Impact of Resolution of Those Individuals Employed by County On July 1, 2012

An individual who is employed by the County on July 1, 2012, is not subject to this Resolution unless the individual has a break in employment with the County. The following are not considered a break in employment with the County:

1. The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.
2. The individual's employment with the unit is terminated following by immediate reemployment by the unit, without loss of payroll time.

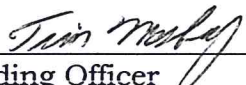
Section 5. Certification by Elected Officers of the County


Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this Resolution. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

Section 6. Effective Date of Resolution

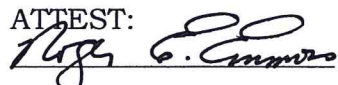
This Resolution shall be effective upon passage.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY,
INDIANA
this 11TH day of JUNE, 2012.


Presiding Officer





ATTEST:


DATE: 6-11-2012